

UNITED STATES DISTRICT COURT

Northern District of California

KRISTA O'DONOVAN, EDUARDO DE LA
TORRE and LORI SAYSOURIVONG,
individually and on behalf of all others
similarly situated,

No. C08-3174 MEJ

CASE MANAGEMENT ORDER

Plaintiffs,

v.

CASHCALL, INC., a California corporation,

Defendant.

Pursuant to Federal Rule of Civil Procedure ("Rule") 16, the Court issues the following Case Management Order. Trial deadlines shall be established after resolution of any dispositive motions. All questions regarding these instructions should be directed to Rose Maher, Courtroom Deputy Clerk to Magistrate Judge James, at (415) 522-4708.

- A. Pretrial Motions:** All pretrial motions shall be filed in accordance with Civil Local Rule 7, and noticed for hearing on any Thursday at 10:00 a.m., without contacting the Court. All dispositive motions shall be filed, served, and noticed by 7/18/2013. Any summary judgment motion shall include a joint statement of undisputed facts pursuant to Civil Local Rule 56-2(b). The Court shall hear dispositive motions on 8/22/2013 at 10:00 a.m. in Courtroom B, located on the 15th Floor of the Federal Building, 450 Golden Gate Avenue, San Francisco, California.
- B. Discovery:** The parties shall abide by Magistrate Judge James' Standing Order Regarding Discovery and Dispute Procedures. All discovery, including depositions of expert witnesses, must be completed by 6/18/2013. Pursuant to Rule 16(b) and Civil Local Rule 26-2, a discovery request or stipulation that calls for responses or depositions after the discovery cut-off date is not enforceable except by order of the Court and upon a showing of good cause. No discovery disputes may be brought to the Court's attention more than 10 days after the discovery cut-off date.
- C. Disclosure of Expert Witnesses:** Any party wishing to present expert witness testimony shall serve on all other parties the expert's name, address, qualifications, resume, and a written report in compliance with Rule 26(a)(2)(B) by 5/24/2013. This disclosure must be made with respect to a person who is either: (a) specifically retained or specially employed to provide expert testimony pursuant to Federal Rule of Evidence 702; or (b) a regular employee or agent or treating physician who may be called to provide expert opinion testimony. All parties have a continuing duty to supplement the disclosure of expert witnesses when required under Rule 26(e)(1).

1 **D. Disclosure of Rebuttal Expert Witnesses:** Any expert testimony intended solely to
2 contradict or rebut another party's opinion testimony shall be disclosed in compliance with
Rule 26(a)(2)(B) by 6/3/2013.

3 **E. Limitation on Testimony by Expert Witnesses:** Each party is limited to one expert witness
4 in each discipline involved in the case, except by order of the Court. To ensure that all
5 factual material (including tests and/or reports) upon which expert opinion may be based is
6 timely disclosed, an expert witness shall be precluded from testifying about any actions or
opinions not disclosed prior to the expert's deposition, unless the parties enter into a written
7 stipulation otherwise. Any party objecting to the admissibility of expert testimony must file
a motion in limine to exclude the testimony by the deadline set forth below.

8 **IT IS SO ORDERED.**

9 Dated: March 7, 2013

10 
11 Maria-Elena James
United States Magistrate Judge